

Dingell, Stupak Welcome New DOE Disclosure Policy

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NEWS RELEASE

Committee on Energy and Commerce

Rep. John D. Dingell, Chairman

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Dingell, Stupak Welcome New DOE Disclosure Policy

Washington, DC — The House Committee on Energy and Commerce today commended a new Department of Energy (DOE) policy which, if implemented, will require increased disclosure to Congress of official DOE documents, including notification of significant security violations by DOE's contractors and employees. This new policy was issued following a June 14 letter from House Energy and Commerce Committee Chairman John D. Dingell (D-MI) and Rep. Bart Stupak (D-MI), chairman of the committee's oversight and investigations subcommittee, detailing the failure of senior DOE officials to notify Congress of serious cyber security violations.

"This new DOE disclosure policy, if fully implemented, will better enable Congress to obtain the information necessary to fulfill its critical oversight responsibilities and ensure that our nation's nuclear secrets do not fall into the wrong hands," said Dingell.

On June 22, 2007, Deputy Energy Secretary Clay Sell issued a directive to the heads of "All Departmental Elements," which states that DOE will report to Congress the "loss of personally identifiable information on ten or more individuals," the "loss or compromise of classified material...in a way that may compromise national security," the "penetration of a classified network," or the "compromise of classified intelligence information" which could indicate a "substantial risk to national security." It adds: "In each instance where there is doubt as to whether an issue should be reported, the issue will be resolved in favor of reporting."

"Keeping Congress in the dark is simply unacceptable, and obstructs the ability of Congress to hold the DOE and its contractors accountable," added Stupak "This recent memo is an indicator that parts of DOE are listening, and we commend Deputy Secretary Sell for issuing this new directive."

Dingell and Stupak recently expressed serious concerns following revelations that senior DOE officials failed to notify Congress of flagrant cyber security violations. In recent hearings and letters, the two lawmakers examined DOE's failure to notify Congress of an e-mail sent by a Los Alamos National Laboratory contractor. The message contained classified information about nuclear weapons materials and was later forwarded to several other individuals.

In the June 14 letter to DOE, Dingell and Stupak expressed regret that the committee was informed by sources outside DOE — rather than DOE officials — about this incident, despite the committee's two recent oversight hearings regarding security problems at Los Alamos. This cyber security breach was rated IMI-1, which means that it "poses the most serious risk to national security interests or DOE assets or creates serious security situations."

A copy of the letter sent on June 14 to DOE by Dingell and Stupak is attached, as well as a copy of DOE's memo on its new security notification policy.

See the June 14, 2007 letter

See the DOE memo

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Prepared by the Committee on Energy and Commerce

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